

Message Text

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FOR THE SECRETARY FROM AMB. LEARSON

FROM US LOS DEL

E.O. 11652: XGDS-3

TAGS: PLOS

SUBJECT: LOS: DAILY REPORT FOR THE SECRETARY

REF: STATE 190948

1. COMMITTEE I: COMMITTEE I WORKSHOP ORGANIZED A NEGOTIATING GROUP OF 27 COUNTRIES YESTERDAY. MEMBERS ARE AS FOLLOWS: AUSTRALIA, BRAZIL, CANADA, CZECHOSLOVAKIA, ECUADOR, FRANCE, GDR, FRG, GHANA, INDONESIA, IRAN, IRAQ, JAMAICA, JAPAN, MEXICO, NORWAY, POLAND, PORTUGAL, SENEGAL, SRI LANKA, TANZANIA, TUNISIA, USSR, UK, US, ZAMBIA, AND PERU. THE NEGOTIATING GROUP HELD TWO SESSIONS ON THE SYSTEM OF EXPLOITATION AND FAILED TO MAKE ANY PROGRESS FOR THE FOLLOWING REASONS: FIRST, THE CHAIRMAN (JAGOTA OF INDIA) WAS TOTALLY INCOMPETENT AND MADE NO EFFORT TO ORGANIZE THE DISCUSSION OR MAINTAIN ORDER. HE WAS SEVERELY CRITICIZED BY MANY DEVELOPING COUNTRY DELEGATIONS. SECOND, THE ARAB GROUP USED EVERY PROCEDURAL TACTIC AT THEIR DISPOSAL TO HALT PROGRESS. THIRD, IT IS OUR ASSESSMENT THAT THE REPRESENTATIVES IN COMMITTEE I DO NOT HAVE THE ATTITUDES AND VIEWS, AS WELL AS COMMON
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PERCEPTIONS, AS TO WHERE COMPROMISES WILL BE FOUND.

THEIR PRINCIPAL PURPOSE RIGHT NOW IS TO JOCKEY FOR POSITION AND TO PRESSURE FOR ADDITIONAL UNILATERAL AND FUNDAMENTAL CONCESSIONS. IN SHORT, THE GROUP OF 77 IS NOT PREPARED TO ACCEPT THE PARALLEL SYSTEM AS WE KNOW IT AND CAN ACCEPT IT. ONLY WHEN THEY ARE PREPARED FOR THAT COMPROMISE MENTALLY WILL THEY BE ABLE TO SIT DOWN TO SERIOUS NEGOTIATIONS. THE WORK OF THE NEGOTIATING GROUP CONTINUES TODAY. WE EXPECT SIMILAR RESULTS.

COMMITTEE II: COMMITTEE II NEGOTIATIONS CONTINUED IN SMALL GROUPS (SG) ON CONTINENTAL MARGIN AND ECONOMIC ZONE. TONE OF CONTINENTAL MARGIN DISCUSSIONS WAS POSITIVE WITH FOCUS ON U.S. REVENUE SHARING PROPOSAL. MOST INTERVENTIONS DEALT WITH PERCENTAGE OF REVENUE SHARING, THE QUESTION OF WHETHER LDC BROAD MARGIN STATES SHOULD CONTRIBUTE, AND THE IDENTIFICATION OF AN ORGANIZATION FOR THE DISTRIBUTION OF COLLECTED REVENUES. THE DISCUSSIONS ON THE LEGAL STATUS OF THE ECONOMIC ZONE REFLECTED NO PROGRESS WITH US, UK, AND EC-9 FIRM ON ONE SIDE AND TERRITORIALISTS (PERU, URUGUAY, BRAZIL) ON OTHER SIDE THREATENING TO REOPEN STRAITS AND ARCHIPELAGOES IF MARITIMES DO NOT MAKE CONCESSIONS. USSR INTERVENTION SHOWED SOFTNESS ON THE ISSUE.

COMMITTEE III: CHAIRMAN YANKOV HELD FIRST MEETING OF PRIVATE NEGOTIATIONS ON SCIENTIFIC RESEARCH WITH FIFTEEN NATIONS. USSR CLEARLY STATED THEIR WILLINGNESS TO ACCEPT DEVELOPING COUNTRY POSITION. USSR SAID IT BELIEVED DEVELOPING COUNTRIES WANT TOTAL CONSENT RIGHT WITH NO QUALIFICATIONS ALTHOUGH ALL DEVELOPING COUNTRIES IN THE GROUP EXCEPT INDIA ACCEPTED SOME QUALIFICATIONS. INTERVENTIONS BY KENYA, MEXICO, BRAZIL, COLOMBIA, AND TANZANIA STRESSED NECESSITY OF HAVING GENERAL CONSENT CONCEPT WHILE ACCEPTING VARYING QUALIFICATIONS ON THE CONCEPT. SOME OPPOSITION TO DISPUTE SETTLEMENT ON SCIENTIFIC RESEARCH DEVELOPED ALTHOUGH, EXCEPT FOR INDIA, IT WAS NOT STRONG. MOST WERE WILLING TO ACCEPT TACIT CONSENT PROCEDURE. US FIRMLY STATED POSITION OF ACCEPTING ONLY A SYSTEM OF REQUIRING CONSENT FOR CERTAIN TYPES OF RESEARCH WITHOUT A GENERAL CONSENT CONCEPT. DEVELOPED COUNTRY SUPPORT FOR OUR POSITION WAS POOR. GROUP WILL MEET AGAIN IN THE MIDDLE

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OF NEXT WEEK.

DISPUTE SETTLEMENT: CHINA STATED THAT ALL DISPUTES SHOULD BE SETTLED BY NEGOTIATIONS AND CONSULTATIONS. PART IV SHOULD NOT APPLY TO ANY DISPUTES RELATING TO ECONOMIC ZONE AND CONTINENTAL SHELF. IF OTHER COUNTRIES WANT PROVISIONS ON DISPUTE SETTLEMENT, THEY SHOULD BE PUT IN AN OPTIONAL PROTOCOL.

GENERAL: SECRETARY SIMON AND AMBASSADOR LEARSON HAD A FULL DISCUSSION OF COMMITTEE I. UNDER CURRENT CONDITIONS HE AGREED TO THE NEED OF FIRING UP A COMPLETE PACKAGE, LEAVING TO THE LOS TEAM THE TACTICS OF WHEN AND HOW IT WERE TO BE EMPLOYED. ON FINANCING THE ENTERPRISE AND ON THE COMPOSITION AND VOTING STRUCTURE OF THE COUNCIL HE IS COMPLETELY BOARD. ON OPTION 5 OF THE MONOPOLY PAPER, AND ON THE 20 YEAR TREATY REVIEW PROCEDURE HE WILL TALK FURTHER WITH HIS ASSOCIATES. ON ACCESS, I ASSURED HIM THE LOS TEAM WOULD CONTINUE ON THE AGREED AMENDMENTS, BUT THAT IT WAS VERY APPARENT THAT A DIFFERENT ACCESS SYSTEM MIGHT BE FORTHCOMING AND THAT WE MUST CONSIDER WITHIN THE GOVERNMENT A JOINT VENTURE APPROACH. TO THIS END, HE ASKED ME TO SET UP A MEETING WITH INDUSTRY THE WEEK OF SEPTEMBER 6 TO GET THEIR VIEWS.
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